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JAY S. COHEN
OF COUNSEL

March 3, 2004

Mr. Michael E. Kunz
Clerk of Court
U.S. District Court for the Eastern District of Pennsylvania
James A. Byrne U.S. Courthouse
601 Market Street, Room 2609
Philadelphia, PA 19106-1797

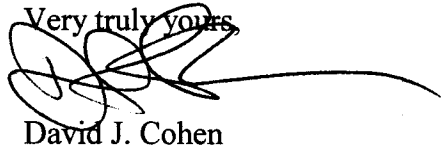
**Re: *El v. SEPTA*, Civil Action No. 02-CV- 3591
Itemization of Costs and Fees.**

Dear Mr. Kunz:

Enclosed please find: (1) the original and one copy of Plaintiff's Itemization of Costs and Fees; and (2) a 3.5" floppy disk with a PDF version of this filing. Please file the original document, time-stamp the copy and return the copy to me in the enclosed, post-paid envelope.

If you have any questions about this filing, please contact me at the phone number listed above. Thank you for your assistance.

Very truly yours,



David J. Cohen

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DOUGLAS EL,
Individually and on behalf of
all others similarly situated,
Plaintiff,**

V.

**SOUTHEASTERN PENNSYLVANIA
TRANSPORTATION AUTHORITY,
Defendant.**

**CIVIL ACTION
NO. 02-CV-3591**

ORDER

THIS MATTER having come before the Court on Plaintiff's First and Second Motions to Compel against Anderson Travel, Inc. and Triage, Inc., and this Court having directed Plaintiff's counsel to submit an itemization of fees and costs with respect to these filings,

IT IS, on this _____ day of _____, 2004,

ORDERED THAT:

1. Anderson Travel, Inc. and Triage, Inc., are in contempt of court;
2. Plaintiff's request for sanctions is granted;
3. Plaintiff's itemization of fees and costs is approved;
4. Anderson Travel, Inc. and Triage, Inc., shall *each* pay sanctions of \$3,948.75 to Plaintiff's counsel within ten days or face further sanctions.

J. CURTIS JOYNER, J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DOUGLAS EL,
Individually and on behalf of
all others similarly situated,
Plaintiff,
v.
SOUTHEASTERN PENNSYLVANIA
TRANSPORTATION AUTHORITY,
Defendant.

**CIVIL ACTION
NO. 02-CV-3591**

**BILL OF COSTS FOR
PLAINTIFF'S FIRST AND SECOND MOTIONS
TO COMPEL AGAINST ANDERSON AND TRIAGE**

At this Court’s direction, counsel for Plaintiff Douglas El hereby submits the following itemization of costs and fees incurred in the filing of its First and Second Motions to Compel against Anderson Travel, Inc. (“Anderson”) and Triage, Inc. (“Triage”):

- | | | |
|----|--|------------|
| 1. | Copying fee for filing – 11/25/2003 (245 pages)..... | \$61.25 |
| 2. | Copying fee for filing – 2/5/2004 (435 pages)..... | \$108.75 |
| 3. | Copying fee for filing – 3/3/2004 (35 pages)..... | \$ 8.75 |
| 4. | Itemized costs for David J. Cohen (<u>See</u> Exhibit A)..... | \$7,231.25 |
| 5. | Itemized costs for Wayne Ely (See Exhibit B)..... | \$487.50 |

TOTAL \$7,897.50

CERTIFICATION

I, David J. Cohen, do hereby swear that the foregoing itemized costs and fees were necessarily incurred in this action; that the services for which fees have been charged were actually and necessarily performed; that these costs and fees relate directly to Plaintiff's attempts to secure discovery from Anderson and Triage; and that the figures set out above have been correctly calculated.

Respectfully submitted,



Eugene A. Spector
David J. Cohen
SPECTOR, ROSEMAN & KODROFF, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
(215) 496-0300

Dated: March 3, 2004

Timothy M. Kolman
Wayne A. Ely
TIMOTHY M. KOLMAN AND ASSOCIATES
225 N. Flowers Mill Road
Langhorne, PA 19047
(215) 750-3134

Attorneys for Plaintiff and the Class

CERTIFICATE OF SERVICE

I, David J. Cohen, hereby certify that, on this 3rd day of March, 2004, true and correct copies of the Itemization of Costs relating to Plaintiff's First and Second Motions to Compel Against Anderson and Triage were served upon the following counsel as designated:

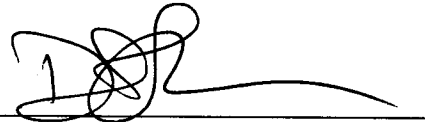
By Hand Delivery:

David Woloshin, Esquire
42 S. 15th Street, Suite. 810
Philadelphia, PA 19102

By First Class U.S. Mail:

Robert J. Haurin, Esquire
Saul H. Krenzel and Associates
the Robinson Building Suite 800
42 South 15th Street
Philadelphia, PA 19102

Wayne A. Ely, Esquire
Timothy M. Kolman & Associates
The Shoppes at Flowers Mill
225 Flowers Mill Road
Langhorne, PA 19047

A handwritten signature in black ink, appearing to read 'DJC', with a long horizontal line extending to the right.

David J. Cohen
SPECTOR, ROSEMAN & KODROFF, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
(215) 496-0300

Attorney for Plaintiff and the Class

EXHIBIT A

3/3/04
11:35 AMSPECTOR ROSEMAN & KODROFF, P.C.
ATTORNEY Time

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Selection Criteria

Slip Classification Open
 Slip Date 10/8/03 - 3/3/2004
 DEFENDANT Include: Paratransit
 ATTORNEY Include: DJCohen
 Slip Has Bookmark Yes

<u>Date</u>	<u>Attorney/Description</u>	<u>Activity</u>	<u>Hours/Rate</u>	<u>Billed Value</u>
10/8/2003	DJCohen Reviewed discovery status, Drafted, revised and sent letters to Anderson and Triage, re: overdue discovery.	2-discovery	0.75	\$243.75
10/21/2003	DJCohen Discussion with Killino, re: discovery issues and resolution, Reviewed local and federal rules re: discovery motions. Drafted and sent letter to Killino, re: revised document requests.	2-discovery	0.75	\$243.75
11/11/2003	DJCohen Calls to and discussions with Killino, re: discovery status	2-discovery	0.25	\$81.25
11/17/2003	DJCohen Call to Killino, re: Anderson and Triage discovery responses	2-discovery	0.25	\$81.25
11/18/2003	DJCohen Call to Killino, re: discovery status	2-discovery	0.25	\$81.25
11/24/2003	DJCohen Drafted motion to compel against Anderson and Triage, discussion with Lynette, re: retrieval of Anderson and Triage information from Timeslips, call to and discussion with Ely, re: discovery issues, revised Anderson and Triage motion to compel.	2-discovery	4.0	\$1,300.00

3/3/04
11:35 AMSPECTOR ROSEMAN & KODROFF, P.C.
ATTORNEY Time

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11/25/2003	DJCohen Revised Anderson and Triage motions to compel, collected and copied exhibits, drafted cover letter for clerk, arranged for filing, calls to Ely, re: filing and case discovery issues	2-discovery	2.0	\$650.00
12/8/2003	DJCohen Reviewed local rules and docket, re: time frame for granting motion to compel vs. Anderson and Triage	2-discovery	0.25	\$81.25
12/18/2003	DJCohen Call to and discussion with Joyner's clerk, re: motion to compel discovery from Anderson and Triage	2-discovery	0.25	\$81.25
1/7/2004	DJCohen Discussion with and letter to Killino, re: Anderson and Triage discovery status	2-discovery	0.50	\$162.50
1/12/2004	DJCohen Call to Killino, re: status of Anderson and Triage discovery production. Discussion with Killino, re: status of Anderson and Triage discovery	2-discovery	0.50	\$162.50
1/14/2004	DJCohen Reviewed Anderson and Triage discovery responses, Discussion with Killino, re: production of Anderson and Triage ex-offender employee files, legal research, re: confidentiality of criminal history information and personnel files.	2-discovery	1.5	\$487.50
1/23/2004	DJCohen Call to Killino, re: production of discovery	2-discovery	0.25	\$81.25

3/3/04
11:35 AMSPECTOR ROSEMAN & KODROFF, P.C.
ATTORNEY Time

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1/26/2004	DJCohen Letter to Killino, re: discovery responses	2-discovery	0.25	\$81.25
1/28/2004	DJCohen Call to Killino, re: Anderson and Triage discovery issues	2-discovery	0.25	\$81.25
1/29/2004	DJCohen Call to Killino, re: Anderson and Triage discovery issues	2-discovery	0.25	\$81.25
2/3/2004	DJCohen Drafted, researched, prepared exhibits, case review, etc... for second motion to compel vs. Anderson and Triage	2-discovery	2.5	\$812.50
2/4/2004	DJCohen Drafted and revised 2 nd motion to compel against Anderson and Triage. Discussion with Ely, re: case issues and discovery status	2-discovery	3.0	\$975.00
2/11/2004	DJCohen Reviewed Killino response to Motion to Compel, Discussion with Ely, re: Killino response	2-discovery	0.5	\$162.50
2/13/2004	DJCohen Discussion with Ely, re: case issues and supplemental discovery requests for Anderson and Triage	2-discovery	0.25	\$81.25
2/20/2004	DJCohen Discussion with Ely, re: case issues and strategy, Discussion with Woloshin, re: outstanding discovery issues, re: Anderson and Triage	2-discovery	0.75	\$243.75
3/1/2004	DJCohen Prepared timeslips analysis for time billable to Anderson and Triage motions per Joyner order, drafted and revised bill of costs, e-mailed draft to Ely for review and revision	2-discovery	2.0	\$650.00

3/3/04
11:35 AM

SPECTOR ROSEMAN & KODROFF, P.C.
ATTORNEY Time

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3/3/2004	DJCohen	2-discovery	1.0	\$325.00
	Call to Ely, re: bill of cost revisions, Discussion with Ely, re: revisions, Revised bill of costs, prepared exhibits and arranged for filing.			

Total: Time	19.75	\$7,231.25
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Total: PARATRANSIT	19.75	\$7,231.25
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Grand Total	19.75	\$7,231.25
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EXHIBIT B

TIMOTHY M. KOLMAN AND ASSOCIATES
Attorney Time re: *El v. SEPTA*
(Re: Anderson/Triage Discovery non-compliance only)
E.D. Pa, No. 02-CV-3591

Date	Service	Total
11/24/03	Telephone discussion w/ DJC re: discovery issues, Killino's position	.5 (\$125)
11/25/03	Telephone call from DJC re: outstanding issues re: Anderson & Triage	.3 (\$75)
2/11/04	Discussion w/ DJC re: Anderson motion to compel	.3 (\$75)
2/13/04	Discussion w/ DJC re: discovery	.1 (\$25)
2/20/04	Strategy discussion w/ DJC re: discovery issues	.75 (\$187.50)
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TOTAL.....		1.95 hours x 250
		<hr/> (\$487.50)